



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/574,057	03/29/2006	Jean-Luc Veron	569.1014	7991
23280	7590	01/17/2012		
Davidson, Davidson & Kappel, LLC			EXAMINER	
485 7th Avenue			MONDT, JOHANNES P	
14th Floor				
New York, NY 10018			ART UNIT	PAPER NUMBER
			3663	
			MAIL DATE	DELIVERY MODE
			01/17/2012	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Corrected
Notice of Allowability**

Application No.

10/574,057

Examiner

JOHANNES P. MONDT

Applicant(s)

VERON, JEAN-LUC

Art Unit

3663

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address–

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/25/11 (Appeal Brief).
2. ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.
3. ☒ The allowed claim(s) is/are 23-25 and 32-34.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☒ All b) ☐ Some* c) ☐ None of the:

1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT OR NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

CORRECTED NOTICE OF ALLOWANCE

The time period established in form PTOL-85 continues to run. This paper does not set a time period. The PTO-37 Form mailed on 11/28/11 inadvertently indicated cancelled claims 30-31 as allowed, while they had been cancelled.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Cary S. Kappel (Reg. No.: 36,561) on November 22, 2011.

The application has been amended as follows:

Claim 23:

Line 3: the verbiage "presenting" has been replaced by: "having".

Line 8: The verbiage "two end plugs" has been replaced by "two end plugs, comprising a top end plug and a bottom end plug".

Lines 14-15: the verbiage "into the at least one capsule" has been replaced by "into one of the at least one capsule".

Line 18-19: the verbiage "unscrewing one of the end plugs of a respective capsule of the plurality of capsules, the end plug being situated at a capsule top end" has been replaced by "unscrewing the top end plug of a respective capsule of the plurality of capsules".

Line 19: the verbiage "screwing the one end plug" has been replaced by:
"screwing the top end plug at the top of the capsule".

Claim 25:

Line 9: the verbiage "the loading structure first location" has been replaced by:
"the first location of the loading structure".

Line 11: the verbiage "the corresponding housing" has been replaced by "a
corresponding housing".

Line 12: the verbiage "bottom plug" has been replaced by: "bottom end plug".

Line 13: the verbiage "the inlet portion" has been replaced by "an inlet portion".

Line 13: the verbiage "the top plug" has been replaced by "the top end plug".

Line 14: the verbiage "the water and the gas" has been replaced by: "any water
and gas".

Line 15: the verbiage "bottom plug" has been replaced by "bottom end plug".

Claims 30 and 31 have been cancelled.

Claim 32:

Line 3: the verbiage "presenting" has been replaced by: "having".

Line 8: The verbiage "two end plugs" has been replaced by "two end plugs,
comprising a top end plug and a bottom end plug".

Lines 14-15: the verbiage "into the at least one capsule" has been replaced by
"into one of the at least one capsule".

Line 18-19: the verbiage "unscrewing one of the end plugs of a respective capsule of the plurality of capsules, the end plug being situated at a capsule top end" has been replaced by "unscrewing the top end plug of a respective capsule of the plurality of capsules".

Line 19: the verbiage "screwing the one end plug at the top end of the capsule" has been replaced by: "screwing the top end plug".

Claim 33:

Line 6: The first occurrence of the verbiage "two end plugs" has been replaced by "two end plugs, comprising a top end plug and a bottom end plug".

Lines 12-13: the verbiage "into the at least one capsule" has been replaced by "into one of the at least one capsule".

Line 17-18: the verbiage "unscrewing one of the end plugs of a respective capsule of the plurality of capsules, the end plug being situated at a capsule top end" has been replaced by "unscrewing the top end plug of a respective capsule of the plurality of capsules".

Line 19: the verbiage "screwing the one end plug at the top end of the capsule" has been replaced by: "screwing the top end plug".

END OF EXAMINER'S AMENDMENT

REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance: Claims 23-25 and 32-34 are allowed for the following reason: in light of the Appeal Brief filed August 25, 2011, examiner concludes that Appellant has persuasive arguments in appeal of the grounds of rejections, said arguments being referred to herewith for reasons for allowance in their entirety, i.e., pages 9-17 of aforementioned Appeal Brief.

2. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOHANNES P. MONDT whose telephone number is (571)272-1919. The examiner can normally be reached on 8:00 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack W. Keith can be reached on 571-272-6878. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/JOHANNES P MONDT/
Primary Examiner, Art Unit 3663